

Senate File 395 - Introduced

SENATE FILE 395

BY ALONS

A BILL FOR

1 An Act relating to vaccination and immunization reporting and
2 tracking.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 139A.8C Vaccination and
2 immunization reporting and tracking — informed consent.

3 1. Unless otherwise specifically required by law, the
4 department shall not require any person to whom a vaccination
5 or immunization is administered to submit to any form of
6 vaccination or immunization reporting or tracking, including to
7 a statewide, interstate, or federal immunization registry.

8 2. *a.* The department shall require that a health care
9 provider who administers vaccinations or immunizations and is
10 required to consult and review or report the administration of
11 vaccinations and immunizations to the statewide immunization
12 registry, obtain written, informed consent from a patient,
13 or if the patient is a minor, the patient's parent or legal
14 guardian, prior to reporting the administration of the
15 vaccination or immunization to the statewide immunization
16 registry. The informed consent shall also provide the patient
17 with the option of consenting to the sharing of the patient's
18 information with any entity with access to the information
19 included in the statewide immunization registry. The health
20 care provider shall submit a copy of the completed written,
21 informed consent form to the statewide immunization registry.

22 *b.* A patient, or if the patient is a minor, the patient's
23 parent or legal guardian, may withdraw or amend the written,
24 informed consent at any time. If informed consent is
25 subsequently withdrawn, the patient's information shall be
26 deleted from the statewide immunization registry.

27 *c.* Only the information regarding the administration of a
28 vaccination or immunization of a patient from whom written,
29 informed consent has been obtained shall be reported to
30 and included in the statewide immunization registry. No
31 information, report, or record relating to a patient from
32 whom written, informed consent has not been obtained shall
33 be maintained by the department or included in the statewide
34 immunization registry.

35

EXPLANATION

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill relates to vaccination and immunization reporting
4 and tracking.

5 The bill provides that unless otherwise specifically
6 required by law, the department of health and human services
7 (HHS) shall not require any person to whom a vaccination
8 or immunization is administered to submit to any form of
9 vaccination or immunization reporting or tracking, including to
10 a statewide, interstate, or federal immunization registry.

11 The bill requires HHS to require a health care provider
12 who administers vaccinations or immunizations and is required
13 to consult and review or report the administration of
14 vaccinations and immunizations to the statewide immunization
15 registry (registry), to obtain written, informed consent from
16 a patient, or a minor patient's parent or legal guardian,
17 prior to reporting the administration of the vaccination or
18 immunization. The patient may also choose whether to consent
19 to the sharing of the patient's information with any entity
20 with access to the information included in the registry. The
21 health care provider shall submit a copy of the completed
22 written, informed consent form to the registry.

23 A patient, or a minor patient's parent or legal guardian,
24 may withdraw or amend the written, informed consent at any
25 time, and if informed consent is subsequently withdrawn, the
26 patient's information shall be deleted from the registry.

27 Only information regarding the administration of a
28 vaccination or immunization to a patient who has provided
29 written, informed consent may be reported to the registry; and
30 no information, report, or record relating to a patient from
31 whom written, informed consent has not been obtained shall be
32 maintained by HHS or included in the registry.